

**GOVERNMENT OF ANDHRA PRADESH**

**ABSTRACT**

Public Services- Serious lapses reported in the Audit report on the Relief Accounts of "Laila Cyclone" occurred in May, 2010 against Sri D.N. Samson, formerly Tahsildar, Kothapatnam (M) Prakasam District (now Retd.) - Disciplinary action initiated under APCS (CC&A) Rules 1991 - Action finalized - Imposition of penalty of 10% (ten percent) cut in pension for a period of two years under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 - Orders - Issued..

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**REVENUE (VIGILANCE.III.2) DERAPATMENT**

**G.O.RT.No. 788**

**Dated:- 05-09-2014**

**Read the following:-**

1. From the C.C.L.A., Ref.No.VS-III(2)/580/2012, dt.21.6.2013.
2. Govt. Memo No.25467/Vig. II(1)/2013-1, Revenue (Vig. II) Dept., Dt:17.8.2013.
- 3.From Sri D.N. Samson, retired Tahsildar, representation, dt: 31.10.2013.
4. Government Memo No 25467/Vig.II(1)/2013-3 dated 04.01.2014.
5. From Sri D.N. Samson, retired Tahsildar, representation, dt: 26.02.2014.
6. From the Secretary APPSC., Lr. No 993/RT/2/2014, dated 23/8/2014.

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In the reference 1<sup>st</sup> read above, the Chief Commissioner of Land Administration, AP, Hyderabad, has stated that Sri D.N. Samson, while working as Tahsildar, Kothapatnam Mandal, Prakasam District, from 2.11.2009 to 19.10.2010 has committed certain irregularities in disbursement of relief funds / maintenance of accounts to the victims of the "LAILA CYCLONE" occurred during May, 2010. And whereas (6) charges were framed against the above Tahsildar and the Charged Officer has submitted his written statement of defence. After examination, the Additional Joint Collector, Ongole, Prakasam District was appointed as the Inquiring Authority to inquire into the charges framed against the Charged Officer. Accordingly, the Inquiring Authority has inquired into the matter and furnished inquiry report, dated:01.03.2013, holding that out of (6) charges, charges 1 & 6 are held proved, and the remaining charges 2 to 5 are as held not proved.

2. The Chief Commissioner of Land Administration, AP, Hyderabad, has stated that Sri D.N. Samson, Tahsildar retired from service on attaining the age of superannuation on 31.7.2012 and while furnishing enquiry report along with connected material, requested the Government to conclude the disciplinary action against Sri D.N. Samson, retired Tahsildar, under AP Revised Pension Rules, 1980.

3. In the reference 2<sup>nd</sup> read above, Government have communicated a copy of the inquiry report to the Delinquent Officer, Sri D.N. Samson, formerly Tahsildar, Kothapatnam Mandal, Prakasam District (Retired) with a direction to submit his representation on the findings of the Inquiring Authority. Sri D.N. Samson, formerly Tahsildar, Kothapatnam Mandal, Prakasam District (Retired) has submitted his representation to drop further action against him in the two charges on humanitarian grounds vide reference 4<sup>th</sup> read above.

4. Government have examined the contentions of the Delinquent Officer with the material available, and observed that the contention of Delinquent Officer that due to discharging cyclone rescue and relief operations, he was proceeded on medical leave from 21.10.2010 and the same was sanctioned vide District Collector, Proceedings dt:26.8.2011 However as per the leave sanction Proceedings No. Dis.(A1)/887/2011, dt:26.8.2011 of the District Collector, Prakasam, leave was sanctioned from 20.10.2010 to 27.2.2011 (131 days) on "private affairs" only and hence his contention that he was proceeded on medical leave is misleading one. Regarding his another contention that he paid Rs.51,177/- towards interest, Government observed that the Delinquent Officer drawn Rs.2,06,26,000/- and after disbursement, kept remaining unspent balance of Rs.5,64,000/-with him and which was paid by him on 3.3.2011 and interest on 4.5.2012 belatedly to cover up his

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guilty. Being a responsible officer he ought to have accounted for the unspent balance before he proceeding on leave on private affairs and hence he was negligent in discharging duties and hence the charge of the temporary misappropriation of public money is established. Regarding his contention on Charge-II that the concerned Assistant prepared the U.C on 18.10.2010 and he put his signature without date and the audit officer never objected the same is also not tenable; as the amount was remitted on 3.3.2011 and naturally the utilization certificate should be only with the same date or subsequent date and hence the charge is proved beyond doubt, as held by the Inquiring Authority.

5. Government after examining the matter, have taken a provisional decision impose a penalty of 10% cut in pension for a period of two (2) years against the Delinquent Officer under rule 9 of A.P. Revised Pension Rules, 1980. Accordingly, the show cause notices were issued to the Delinquent Officer indicating the provisional decision for his representation, vide reference 4<sup>th</sup> read above.

6. In the reference 9<sup>th</sup> read above, Sri D.N. Samson, formerly Tahsildar, Kothapatnam Mandal, Prakasam District (Retired) has requested to treat the suspension period as punishment instead of cut in pension and further requested to take a lenient view in the matter.

7. Government after careful examination of the matter have decided to confirm the provisional decision i.e to impose a penalty of 10% cut in pension for a period of two (2) years as the Charged Officer has not putforth any new grounds for consideration. Accordingly, Government hereby order to impose penalty of 10% cut in pension for a period of two (2) years against Sri D.N. Samson, formerly Tahsildar, Kothapatnam Mandal, Prakasam District (Retired) under Rule 9 of Andhra Pradesh Revised pension Rules, 1980. The Andhra Pradesh Public Service Commission has also agreed the above punishment (Copy enclosed).

8. The Chief Commissioner of Land Administration, AP, Hyderabad shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**S.P. SINGH**  
**PRINCIPAL SECRETARY TO GOVERNMENT**

To

Sri D.N. Samson, formerly Tahsildar, Kothapatnam Mandal,  
Prakasam District(now retired) .

through Chief Commissioner of Land Administration, AP, Hyderabad.

The Chief Commissioner of Land Administration, AP, Hyderabad

(with a request to serve the Memo. on the Charged Officer and furnish  
acknowledgement of the individual to the Government)

The District Collector, Ongole, Prakasam District .

SC/SF.

//FORWARDED:: BY ORDER//

SECTION OFFICER